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FOR NEA/ARP

E.O. 12958: DECL: 12/29/2017
TAGS: [PREL](#) [PTER](#) [PGOV](#) [YM](#)
SUBJECT: AMBASSADOR PUSHES AGAIN ON BADAWI BUT FM DOESN'T
BUDGE

Classified By: Ambassador Stephen A. Seche for reasons 1.4 (b) and (d)

SUMMARY

¶1. (C) On December 30, the Ambassador reiterated to Foreign Minister al-Qirbi that US custody of Jamal al-Badawi is non-negotiable. Al-Qirbi responded again that such a resolution is "politically and legally impossible" and stated that the ROYG would await what it understood would be a POTUS decision on the matter. End Summary.

The Irresistible Force and the Immovable Object

¶2. (C) In a December 30 meeting, the Ambassador related to Foreign Minister AbuBakr al-Qirbi the results of his mid-December discussions with key figures in Washington. The Ambassador told al-Qirbi that senior officials at State, FBI and NSC all delivered the same message -- US custody of Jamal al-Badawi is the only acceptable resolution to the current situation. The Ambassador added that, in the absence of such a resolution, the Millennium Challenge Corporation Threshold Country Plan for Yemen will remain frozen and Secretary Rice's attendance at the Forum for the Future will be impossible.

¶3. (C) Al-Qirbi responded by noting that Yemeni Ambassador to the United States Abdulwahab Al-Hajjri had recently met with Deputy National Security Advisor Jeffrey and received the same message and had delivered the same response. He added that Jeffrey reportedly said he would carry the message to President Bush, noting that the ROYG would await the POTUS response. Al-Qirbi then suggested that, as the positions of both sides were clear, we should "leave it at that" for now.

¶4. (C) The Ambassador noted that he had conveyed, in his meetings, the willingness of the Foreign Minister to travel to the United States to discuss the issue, or, alternatively, to have senior U.S. officials travel to Yemen to meet with President Saleh. The Ambassador also related to al-Qirbi an observation by FBI Director Mueller that, while any sort of prisoner exchange is out of the question, the DOJ is prepared to consider the return of jailed Yemeni cleric Sheikh al-Moayed as part of a negotiated resolution to the case. Al-Qirbi responded that such a return would ease pressure on the ROYG.

Comment

¶5. (C) Al-Qirbi maintained the same position that ROYG officials have taken since the beginning of the Badawi case. Post will continue to push for the surrender of Badawi to U.S. custody. In the meantime, we welcome clarification regarding the ROYG's apparent understanding that this issue

will presently be taken up at POTUS level, so that we can
disabuse them if necessary of any misapprehension.
SECHE